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Attorney for Defendant
BENJAMIN MANUEL CUNNINGHAM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HON. BARRY T. MOSKOWITZ)

UNITED STATES OF AMERICA,)	Case No.: 08CR0286-BTM
)	
Plaintiff,)	NOTICE OF MOTION AND MOTIONS
)	FOR:
vs.)	
)	(1) DISCOVERY
BENJAMIN MANUEL CUNNINGHAM (4),)	(2) AND LEAVE TO FILE FURTHER
)	MOTIONS
)	
Defendant.)	
)	
)	Date: March 7, 2008
)	Time: 1:30 p.m.
)	
)	
)	

TO: PLAINTIFF UNITED STATES ATTORNEY, AND ITS ATTORNEY OF RECORD,
UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF
CALIFORNIA:

PLEASE TAKE NOTICE that at the above designated time and place defendant,
BENJAMIN MANEUL CUNNINGHAM, will move the court for an order compelling discovery
and to suppress statements in the instant case with respect to the items set forth in the attached
memorandum of law, based upon the constitutional, statutory and

1 judicial authorities cited herein. Defense counsel will further move the court for leave to file
2 further motions herein as may be warranted by discovery materials produced in the case.

3 Said motions are based upon the instant motion, the attached memorandum of law and on
4 such evidence and argument as may be presented at the hearing on the motion.
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8 Respectfully submitted,

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10 Dated: February 25, 2008

11 S/ MICHAEL J. MESSINA
12 MICHAEL J. MESSINA
13 Attorney for Defendant
14 BENJAMIN MANUEL CUNNINGHAM
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